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**SENATE BILL 973**

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

**INTRODUCED BY**

**Carroll H. Leavell**

**AN ACT**

**RELATING TO GAMING; EXPANDING THE NEW MEXICO STATE LOTTERY TO PERMIT INSTANT WIN GAMES THAT DO NOT REQUIRE RUBBING OR SCRAPING OF PREPRINTED TICKETS; AMENDING THE NEW MEXICO LOTTERY ACT.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 6-24-4 NMSA 1978 (being Laws 1995, Chapter 155, Section 4) is amended to read:**

**"6-24-4. DEFINITIONS. --As used in the New Mexico Lottery Act:**

**A. "authority" means the New Mexico lottery authority;**

**B. "board" means the board of directors of the authority;**

**C. "chief executive officer" means the chief**

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1 executive officer of the authority appointed by the board  
2 pursuant to the New Mexico Lottery Act;

3 D. "lottery" means the New Mexico state lottery  
4 established and operated by the authority pursuant to the New  
5 Mexico Lottery Act;

6 E. "lottery contractor" means a person with whom  
7 the authority has contracted for the purpose of providing goods  
8 or services for the lottery;

9 F. "lottery game" means any variation of the  
10 following types of games, but does not include any video  
11 lottery game:

12 (1) an instant win game in which disposable  
13 tickets contain certain [~~preprinted~~] predetermined winners that  
14 [~~are determined by rubbing or scraping an area or areas on the~~  
15 ~~tickets to~~] match numbers, letters, symbols or configurations,  
16 or any combination thereof, as provided by the rules of the  
17 game; provided, an instant-win game may also provide for  
18 preliminary and grand prize drawings conducted pursuant to the  
19 rules of the game; and

20 (2) an on-line lottery game in which a lottery  
21 game is hooked up to a central computer via a  
22 telecommunications system through which a player selects a  
23 specified group of numbers or symbols out of a predetermined  
24 range of numbers or symbols and purchases a ticket bearing the  
25 player-selected numbers or symbols for eligibility in a drawing

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1 regularly scheduled in accordance with game rules;

2 G. "lottery retailer" means a person with whom the  
3 authority has contracted for the purpose of selling tickets in  
4 lottery games to the public;

5 H. "lottery vendor" means any person who submits a  
6 bid, proposal or offer as part of a major procurement contract  
7 and any person who is awarded a major procurement contract;

8 I. "major procurement contract" means a contract  
9 for the procurement of any lottery game product or service  
10 costing in excess of seventy-five thousand dollars (\$75,000),  
11 including [~~but not limited to~~] major advertising contracts,  
12 annuity contracts, prize payment agreements, consulting  
13 services, equipment, tickets and other products and services  
14 unique to the lottery, but not including materials, supplies,  
15 equipment and services common to the ordinary operations of a  
16 corporation;

17 J. "net revenues" means all lottery and nonlottery  
18 revenues received by the authority less payments for lottery  
19 prizes and operating expenses as provided in the New Mexico  
20 Lottery Act; and

21 K. "person" means an individual or any other legal  
22 entity. "